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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Group: 2881

Confirmation No.: 9342

Application No.: 10/692,996

Invention: **Method And Apparatus For Measuring A  
Substance In A Biological Sample**

Applicant: Gore et al.

Filed: October 24, 2003

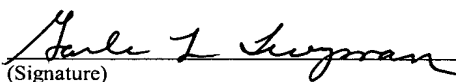
Attorney Docket 3220-73780

Examiner: Unknown

Certificate Under 37 CFR 1.8(a)

I hereby certify that this correspondence is being  
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Virginia 22313-1450

on April 6, 2005

  
(Signature)

Garla L. Twyman  
(Printed Name)

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This statement is filed in the application identified above pursuant to 37 C.F.R. §1.56. No representation is intended that a complete search has been made of the prior art or that no better art references then listed below are available. Pursuant to the Patent Office's waiver of 37 C.F.R. 1.98 (a)(2)(i), copies of U.S. patent references and/or publications have not been provided; however, a copy of each foreign and/or other references are provided for review by the Examiner.

The filing of this Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in §1.56(b).

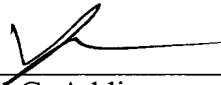
None of the cited documents are believed to disclose or suggest the invention recited in the claims of the above-identified application. It is therefore believed that the claimed invention is patentably distinguishable over these documents.

The person making this Statement is the attorney who signs below on the basis of the information in the attorney's file and as provided by Applicant and his representatives.

Please charge any fees that might be due in connection with this Information Disclosure Statement to our Deposit Account No. 10-0435. an extra copy of this Information Disclosure Statement is enclosed for that purpose.

Respectfully submitted,`

BARNES & THORNBURG LLP

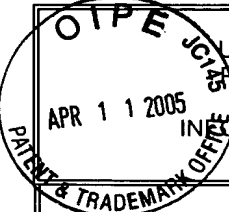


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 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT				ATTY. DOCKET NO. 3220-73780		SERIAL NO. 10/692,996	
				APPLICANT Jay P. Gore et al.			
				FILING DATE Oct 24, 2003		GROUP 2881	
U.S. PATENT DOCUMENTS							
*Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
	AA	4,427,889	Jan. 24, 1984	Müller			
	AB	4,655,225	Apr. 7, 1987	Dähne et al.			
	AC	5,321,265	Jun. 14, 1994	Block			
	AD	5,515,847	May 14, 1996	Braig et al.			
	AE	5,529,755	Jun. 25, 1996	Higashio et al.			
	AF	5,533,509	Jul. 9, 1996	Koashi et al.			
	AG	5,710,630	Jan. 20, 1998	Essenpreis et al.			
	AH	5,743,262	Apr. 28, 1998	Lepper, Jr. et al.			
	AI	6,025,597	Feb. 15, 2000	Sterling et al.			
	AJ	6,049,727	Apr. 11, 2000	Crothall			
	AK	6,113,541	Sep. 5, 2000	Dias et al.			
FOREIGN PATENT DOCUMENTS							
		Document Number	Date	Country	Class	Subclass	Translation Yes No
	AL	WO 03/016882 A1	Feb. 27, 2003	PCT			X
	AM						
	AN						
	AO						
	AP						
OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)							
	AR	S. R. Ash et al., "Subcutaneous Ultrafiltration Fibers for Chemical Sampling of Blood: The Capillary Filtrate Collector (CFC)", <i>American Filtration Society</i> , 1993, pgs. 316-319.					
	AS	E. M. Janle et al., "Determination of Glucose in Microliter Samples of <i>In Vivo</i> Ultrafiltrates and Microdialysates Using Amperometric Flow Injection Analysis with an Enzyme Reactor", <i>Current Separations</i> , 1993, Vol. 12, No. 1, pgs. 14-17					
	AT	D. A. Krohn, <i>Fiber Optic Sensors: Fundamentals and Applications</i> , 1992, pgs. 21-23.					
	AU	S. Santhanakrishnan et al., "On the Quantitative Measurement of Glucose in Biological Fluids", <i>Mid-IR Technical Report #01-003</i> , 2001, 18 pgs.					
	AV	S. S. Krishnan et al., "Optimum Pathlength for Aqueous Solutions Transmission Measurements", <i>Mid-IR Technical Report #01-002</i> , 2000, 5 pgs.					
	AW	G. L. Coté, "Noninvasive Optical Glucose Sensing -- An Overview", <i>Journal of Clinical Engineering</i> , 1997, pgs. 253-259					
	AX	Y. Gotshal et al., "Blood diagnostics using fiberoptic evanescent wave spectroscopy and neural networks analysis", <i>Sensors and Actuators B</i> , 1997, Vol. 42, pgs. 157-161					
	AY	K. Kajiware et al., "Spectroscopic quantitative analysis of blood glucose by Fourier transform infrared spectroscopy with an attenuated total reflection prism", <i>Medical Process through Technology</i> , 1992, Vol. 18, pgs. 181-189					
	AZ	Y. Mendelson et al., "Blood Glucose Measurement by Multiple Attenuated Total Reflection and Infrared Absorption Spectroscopy", <i>IEEE Transactions on Biomedical Engineering</i> , 1990, Vol. 37, pgs. 458-465					
Examiner						Date Considered	
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							

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U.S. PATENT DOCUMENTS							
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	BA	6,152,889	Nov. 28, 2000	Sopp et al.			
	BB	6,157,041	Dec. 5, 2000	Thomas et al.			
	BC						
	BD						
	BE						
	BF						
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	BH						
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FOREIGN PATENT DOCUMENTS							
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	BL						
	BM						
	BN						
	BO						
	BP						

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)		
	BR	S. R. Ash, "Subcutaneous Capillary Filtrate Collector for Measurement of Blood Glucose", <i>ASAIO</i> , 1992, pgs. 416-420
	BS	P. Geladi et al., "Partial Least-Squares Regression: A Tutorial", <i>Analytica Chimica Acta</i> , 1986, pgs. 1-17.
	BT	S. A. Jimeno, "The Spanish toxic syndrome", <i>Trends in Analytical Chemistry</i> , 1982, Vol. 1, pgs. 4-6.
	BU	V. M. Kapoulas et al., "Detection of Virgin Olive Oil Adulteration with Refined Oils by Second-Derivative Spectrophotometry", <i>Food Chemistry</i> , 1987, Vol. 23, pgs. 183-192
	BV	V. M. Kapoulas et al., "Detection of Adulteration of Olive Oil with Seed Oils by a Combination of Column and Gas Liquid Chromatography", <i>Journal of the American Oil Chemists' Society</i> , 1981, Vol. 58, pgs. 694-697
	BW	A. Lanzou et al., "Detection of refined olive oil in virgin olive", <i>Grasas Aceites</i> , 1989, Vol. 40, No. 6, pgs. 385-388
	BX	D. Marini et al., "Spectrophotofluorimetric analysis of olive oil", <i>Rivista Italiana Sostanze Grasse</i> , 1990, Vol. 67, No. 2, pgs. 95-99
	BY	T. Mavromoustakos et al., "C-NMR Analysis of the Triacylglycerol Composition of Greek Virgin Olive Oils", <i>Magnetic Resonance in Chemistry</i> , 1997, Vol. 35, pgs. 3-7
	BZ	M. T. Morales et al., "Tentative analysis of virgin olive oil aroma by supercritical fluid extraction-high-resolution gas chromatography-mass spectrometry", <i>Journal of Chromatography A</i> , 1998, Vol. 819, pgs. 267-275

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	CL						
	CM						
	CN						
	CO						
	CP						

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)		
CR	G. Morchio et al., "Detection of refined oils in virgin olive oil", <i>Rivista Italiana Sostanze Grasse</i> , 1989, Vol. 66, No. 5, pgs. 251-257	
CS	S. A. Passaloglou-Emmanouillidou, "A comparative study of UV spectrophotometric methods for detection of olive oil adulteration by refined oils", <i>Zeitschrift tzir Lebensmittel-Untersuchung und-Forschung</i> , Vol. 191, No. 2, pgs. 132-134	
CT	P. Sachhi et al., "Application of Carbon -13 NMR to the determination of mono- and diglycerides and free fatty acids in virgin and refined olive oil", <i>Rivista Italiana Sostanze Grasse</i> , 1990, Vol. 67, No. 5, pgs. 245-252	
CU	R. Sacchi et al., " <sup>1</sup> H and <sup>13</sup> C-NMR of virgin olive oil. An Overview", <i>Magnetic Resonance in Chemistry</i> , 1997, Vol. 35, pgs. 133-145	
CV	R. J. Sanchis et al., "Rapid HPLC procedure for the detection of adulteration of olive oil by seed oils", <i>Alimentaria (Madrid)</i> , 1991, pgs. 27-29	
CW	L. Küpper et al., "Authentication and Quantification of Extra Virgin Olive Oils by Attenuated Total Reflectance Infrared Spectroscopy Using Silver Halide Fiber Probes and Partial Least-Squares Calibration", <i>Applied Spectroscopy</i> , 2001, No. 5, pgs. 563-570	
CX	M. Karlowatz et al., "Chemically Tapered Silver Halide Fibers: An Approach for Increasing the Sensitivity of Mid-Infrared Evanescent Wave Sensors", <i>Applied Spectroscopy</i> , 2000, No. 11, pgs. 1629-1633	
CY	L. Han et al., "NIR Fiber-Optic Method with Multivariate Calibration Analysis for Determination of Inorganic Compounds in Aqueous Solutions", <i>Applied Spectroscopy</i> , 2000, Vol. 54, No. 10, pgs. 1447-1452	
CZ	B. Lendi et al., "Fourier Transform Infrared Detection in Miniaturized Total Analysis Systems for Sucrose Analysis", 1997, <i>Analytical Chemistry</i> , 1997, Vol. 69, No. 15, pgs. 2877-2881	

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FOREIGN PATENT DOCUMENTS							
	Document Number	Date	Country	Class	Subclass	Translation Yes No	
	DL						
	DM						
	DN						
	DO						
	DP						

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)		
	DR	D. Lefier et al., "Determination of Fat, Protein, and Lactose in Raw Milk by Fourier Transform Infrared Spectroscopy and by Analysis with a Conventional Filter-Based Milk Analyzer", <i>Journal of AOAC International</i> , 1996, Vol. 79, No. 3, pgs. 711-717
	DS	Boston Electronics Corporation, "pulsIR-Evaluation Kit Driver Instruction Manual", Date Unknown, 4 pgs.
	DT	IntraTec GmbH, "Pyroelectric detectors", 1999, 5 pgs.
	DU	
	DV	
	DW	
	DX	
	DY	
	DZ	

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